

AGREEMENT FORM FOR POLITICAL CANDIDATE ADVERTISEMENTS

(check applicable box)

☐

FEDERAL CANDIDATE

☒

STATE/LOCAL CANDIDATE

To Avail Themselves of The Lowest Unit Charge During a Political Window, Federal Candidates Must Sign The Certification On Page 3

Station and Location:KNDU**Date:**08/09/2016I, Alexander C. Ekstrombeing/on behalf of: Alexander C. Ekstrom, a legallyqualified candidate of the nonpartisan politicalparty for the office of: Benton/Franklin Co. Superior Courtin the State of Washingtonelection to be held on: November 8, 2016

do hereby request station time as follows:

Broadcast Length	Time of Day, Rotation or Package	Days	Class	Times per Week	Number of Weeks
<u>30</u>					
<u>30</u>					
		<u>(See Order)</u>			

Total Charges:

For programming that, in whole or in part, "communicates a message relating to any political matter of national importance," list the matters below:

I represent that the payment for the above described broadcast time has been furnished by:

and you are authorized to announce the time as paid for by such person or entity.
I represent that this person or entity is either a legally qualified candidate or an authorized committee/organization of the legally qualified candidate.

The name of the treasurer of the candidate's authorized committee is:

This station has disclosed to me its political advertising policies, including: applicable classes and rates; and discount, promotional and other sales practices (not applicable to federal candidates).

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

To Be Signed By Candidate or Authorized Committee

08/09/11

Date



Signature

To Be Signed By Station Representative



Accepted



Accepted in Part



Rejected



Signature

Trade Smith

Printed Name

RSM

Title

Committee To Re-Elect Judge Alex
3360 W. Clearwater Ave. Eskaton
Kennewick, WA 99336

**KNDU/KNDO 2016 POLITICAL TIME
WASHINGTON GENERAL ELECTION 2016
SALES POLICIES**
Revised 5-25-16

The following sets forth the policies and practices of Station KNDU/KNDO-TV regarding the sale of political time for the 2016 Washington General Election (Nov. 8 2016).

1. **Applicability:** These policies apply only to legally qualified candidates for public office or their authorized campaign organizations to promote their candidacy; they are not applicable to political action committees or to non-candidate: "issue" advertising. Spot rates current to the airdates will be charged for schedules for Initiatives, Referendums, Levies and PAC's.
2. **Access:** Station may at its option offer or decline to offer advertising to state or local candidates for a particular office, provided that all candidates for a particular office are denied equally. Federal Candidates will be provided with reasonable access to the station's programming Candidates may request specific programming and the Station will negotiate specific requests.
3. **Sponsorship Identification:** All spots must be submitted to station 24 hours prior to air date and subject to manager approval. All ads must comply with the identification requirements of Section 317 of the Communications Act. For a candidate to receive the lowest unit charge for the class of time purchased, all advertisements that refer to the opposing candidates must contain a printed statement that is displayed with a candidate picture and must identify the candidate, state the candidate approved the broadcast, and state the candidate and/or candidate's authorized committee paid for the broadcast. The Identification of the sponsor must also include political party affiliation and office sought by candidate, name of candidate, referendum, initiative or levy. A video identification of at least four (4) seconds in duration with letters equal to or greater than four (4) percent of the vertical picture height is required. If a political announcement does not contain proper sponsorship identification, the station reserves the right to add the appropriate material at the advertiser's expense.
4. **Orders:** Orders for political time will not be considered firm for broadcast clearance until the following have been provided:
 - a) Completed and signed Agreement Form for Political Candidates.
 - b) For agencies/candidates without established credit, political orders will be booked, (placed on avail sheet) however, not finally confirmed for broadcast until the Station has the check in hand. Unconfirmed spot schedules will be subject to pre-emptibility at the Station's discretion.
 - c) Where a corporation, committee, association or other unincorporated group makes the purchase, a list of the entity's chief executive committee or board of directors is required.
 - d) Where doubt exists, satisfactory proof that the candidate is "legally qualified," as that term is defined by the FCC.
 - e) Where doubt exists, satisfactory proof that the purchaser is authorized to buy time for the candidate.
 - f) Advance orders for schedules of political advertising will be subject to reconfirmation 30 days preceding start of schedule.
 - g) Commercial materials along with written instructions for their use should be submitted to the Station as soon as possible to ensure proper airing. Station accepts videotapes, DVD or Electronic Delivery Systems (DG, System or Fast Channel).
 - h) Deadlines for all orders and contract changes are as follows: (Due date will depend on the day the order starts as outlined below)
Monday - by 4p Thursday prior to order
Tuesday - by 4p Friday prior to order
Wednesday - by 4p Monday prior to order
Thursday - by 4p Tuesday prior to order
Friday - by 4p Wednesday prior to order
Saturday - by 4p Wednesday prior to order
Sunday - by 4p Thursday prior to order

Send traffic instructions to instructions@kndo.com
Deadlines for all commercial Material & Traffic are as follows:
Monday at 2pm for a Wednesday start
Tuesday at 2pm for a Thursday start
Wednesday at 2pm for a Friday start
Thursday at 2pm for a Saturday start
Friday at 2pm for a Sunday, Monday or Tuesday start

The station does not maintain staff to accept orders or traffic on the weekend.

Failure by a political advertiser to fulfill all requirements in advance of the deadlines may result in preemption of some or all announcements or programs previously cleared.

Confirmation of broadcast or changes to schedules as ordered will be sent to the political advertiser and placed in the Station's Public Inspection File as soon as commercially possible, but will be available upon request.

5. **Production:** Station facilities maybe used for production and standard production rates.

6. **Availability:**

1. Legally qualified candidates may purchase time on the basis of any class set forth on the attached rate card subject to availability. Legally qualified candidates may purchase time for the Election in the programs listed on the political rate card. The base availability is a 30 second ad (including sponsorship identification). Ad time is available in other lengths including: :60 & :90 seconds.
2. Candidates should be aware that, unless a contrary result is demanded by statutory requirements, orders for the purchase of time made after 12 noon on the Tuesday preceding Election Day may not be filled due to lack of availability. The earlier an order is placed, the greater the scheduling option will be.
3. All spots are placed in the order the Station receives them. Due to potential "equal opportunity" obligations for opposing candidates, certain time periods may be unavailable for candidates in other political races.

7. **Rates:** Quoted rates are applicable for 5 business days starting from request date. Quoted rates from availability request are for 30-second ads. Rates for other lengths of spots will be quoted upon request. In addition to the program areas listed on the rate card.

KNDO/KNDU offers:

Fixed rates. These are ads scheduled to air at a particular time. These ads may not be preempted in favor of any other ad and will air as scheduled absent unforeseen program changes or technical difficulties.

Candidate-only rates. Ads that once cleared by the station will air in the time period purchased by the candidate. These rates are available to candidates less than 46 days prior to a primary election or caucus or less than 61 days prior to a general election. Once cleared, these ads may not be preempted in favor of any other ad.

Immediately pre-emptible rates. Ads scheduled to air at the station's discretion in the particular time period or rotation specified by the advertiser. These ads may be preempted in favor of other ads purchased at a higher rate.

Each separate class of time is offered to candidates at its lowest unit charge; the lowest clearing rate of the particular class of time ordered by the candidate for the time period when the ad is broadcast. All spots desired by a candidate may not be available at the time the order is placed.

Rates may fluctuate on a daily basis according to the class of time ordered.

The Station reserves the exclusive right to designate the rates at which preemption will occur. The Station will provide its best good faith assessment of the likelihood of preemptions at specified rate levels upon request.

No candidate will be offered the station's lowest unit charge unless the candidate provides the stations with a certification that the candidate will not make any direct reference to another candidate for the same office in any

broadcast unless the broadcast complies with section 315(b)(2)(C) of the Communications Act as amended by the Bipartisan Campaign Reform Act of 2002.

Requests for program time, including lengths of 30 and 60 minutes will be considered on an individual basis. No promotional announcements (aside from the candidate's separately purchased spot use) will be scheduled to promote political programs.

During the time period outside the 45 and 60 day pre-elections timeframe, legally qualified candidates may purchase advertising time at the current effective selling rate for the class of time desired subject to availability.

In compliance with Federal Regulations, a candidate that places a schedule directly on the station, without the use of a recognized advertising agency, is entitled to the 15% discount that normally would be paid to the advertising agency in commissions.

8. **Rebates:** In the event advertising time is sold for a particular class and for a particular time period and is broadcast during the political window at rates lower than the rate paid by the candidate, the candidate will be afforded the benefit of the lower rate either by way of a timely rebate or as credit against further purchases net of agency commissions.

9. **Makegoods:** The Station will use its best efforts to provide the "makegood" spots prior to the election for candidates "use" spots that are preempted due to technical problems or other problems or because of the nature of time purchased. Although the Station's policy is to offer all candidates makegoods before the election, it cannot guarantee to any advertiser that the makegoods can be provided in the time period or rotation originally ordered. If inventory constraints preclude such identical scheduling, the Station will offer makegoods of equivalent value. If these are not acceptable to the advertiser, the Station will provide credits or refunds for preempted spots.

10. **Rotations:** Ads may be purchased individually or in designated rotations among several designated days or time periods.

I, Alexander C. Ekstrom, have read, understand and agree to the above policies.

Name Printed



Named Signed

08/09/2016

Date



INQUIRY RECORD FOR POLITICAL TIME
STATION KNDU -TV
(TO BE PLACED IN PUBLIC INSPECTION FILE)

Date: 08/09/2016
Request made by: Allen D. Brecke Phone: (509) 735-0546
For candidacy of: Committee To Re-Elect Judge (Committee name)
Alex Ekstrom
PRIMARY ELECTION n/a GENERAL ELECTION 11/8/2016

POLITICAL PARTY:

DEMOCRAT _____

REPUBLICAN _____

OTHER Non-Partisan

Material Requested: Political Rate Card ☒ Political Packet ☒
Legally Qualified Candidate for the Office of Superior Court Judge Pos. 3
Time Requested: (May attach copies of faxed orders)

Length of Broadcast	Hour	Days	Class of Time	Times Per Week	Package Rotation	or of Weeks	Number Rates
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Date of First Broadcast: _____ Date of Last Broadcast: _____ Total Charge \$ _____

If not already on file, list chief executive officer(s) or members of the executive committee or board of directors of sponsoring organization (if other than candidate is making this inquiry).

Request Received By: _____ Title: _____ Date: _____

CONTRACT

NBC Right Now KNDO
KNDO 25 KNDU 25 216 W. Yakima Ave
 Yakima, WA 98902
 (509)225-2300

www.kndo.com

And:

POL/Committee To Re-Elect Judge Alex Ekstrom
 3360 W. Clearwater Avenue
 Kennewick, WA 99336

<u>Contract / Revision</u> 95198 /		<u>Alt Order #</u>
<u>Product</u> 10-25 to 10-27		
<u>Contract Dates</u> 10/25/16 - 10/27/16		<u>Estimate #</u> 10-25 to 10-27
<u>Advertiser</u> POL/Committee To Re-Elect Judge Alex Ekst		<u>Original Date / Revision</u> 08/10/16 / 08/10/16
<u>Billing Cycle</u> EOM/EOC	<u>Billing Calendar</u> Calendar	<u>Cash/Trade</u> Cash
<u>Station</u> KNDO_KND	<u>Account Executive</u> Trude Smith	<u>Sales Office</u> KNDO-KNDU N
<u>Special Handling</u>		
<u>Demographic</u> Adults 25-54		
<u>IDB#</u>	<u>Advertiser Code</u>	<u>Product Code</u>
<u>Agency Ref</u>		<u>Advertiser Ref</u>

*Line	Ch	Start Date	End Date	Description	Start/End Time	Days	Length	Spots/Week	Rate	Rtn	Type	Spots	Amount
N 1	All	10/25/16	10/27/16	LOCAL NEWS @ 6 M-F	6-6:30PM		:30				NM	2	\$750.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>	<u>Rating</u>			
Week:		10/24/16	10/30/16	--WT---				2	\$375.00	0.00			
N 2	All	10/25/16	10/27/16	LOCAL NEWS @ 6 M-F	6-6:30PM		:30				NM	1	\$200.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>	<u>Rating</u>			
Week:		10/24/16	10/30/16	-T-----				1	\$200.00	0.00			
Totals										0.00		3	\$950.00

Time Period	# of Spots	Gross Amount	Net Amount
10/01/16 - 10/27/16	3	\$950.00	\$807.50
Totals	3	\$950.00	\$807.50

Signature: _____ **Date:** _____

(* Line Transactions: N = New, E = Edited, D = Deleted)

Notwithstanding to whom bills are rendered, advertiser, agency and service, jointly and severally, shall remain obligated to pay to station the amount of any bills rendered by station within the time specified and until payment in full is received by station. Payment by advertiser to agency or to service or payment by agency to service, shall not constitute payment to station. Station will not be bound by conditions, printed or otherwise, on contracts, insertion orders, copy instructions or any correspondence when such conflict with the above terms and conditions. Two week advance cancellation notice is required unless otherwise specified. The parties to this advertising agreement affirm that nothing in this agreement, or any of the actions, benefits and obligations relating to it, discriminate in any way on the basis of race or ethnicity.